In the claims:

1. (currently amended) Apparatus included in a wireless device in a wireless communications environment including multiple access points and stations, wherein stations gain network access by associating with one of the access points, comprising:

logic for associating the wireless device with a current access point operating on a first channel;

logic for ascertaining whether the wireless device should attempt to associate with an alternative access point ~~also operating on the first channel~~, the ascertaining based at least in-part on a level of attenuation of signal strength ~~strengths~~ of transmissions from the ~~current and~~ alternative access point where the alternative access point transmits at less than full power ~~points~~; and

logic for requesting association with the alternative access point if it is ascertained that the wireless device should attempt to associate with said alternative access point.

2. (currently amended) The apparatus of claim 1 further comprising:

logic for automatically collecting information about the alternative ~~other~~ access point, including an indication of the level of attenuation ~~points~~.

3. (currently amended) The apparatus of claim 2 wherein the logic for ascertaining ascertains that the wireless device should attempt to associate with the alternative access point if the alternative access point is closer than the current access point in terms of a biased distance which accounts for AP loading.

4. (currently amended) The apparatus of claim 3 wherein the logic for ascertaining ascertains

that the alternative access point is closer than the current access point by:

calculating a first biased distance between the wireless device and the current access point

based on "x" samples, where "x" is a real number;

calculating a second biased distance between the wireless device and the alternative

access point based on "y" samples where "y" is less than "x," where "y" is a real number; and

ascertaining that the alternative access point is closer than the current access point if the

second biased distance is less than the first biased distance.

5. (previously presented) The apparatus of claim 3 wherein the logic for requesting association

requests association by sending a message to the alternative access point.

6. (withdrawn) Apparatus included in a wireless station in a wireless communications

environment, the method comprising the steps of:

logic operable to associate the station with a first access point on a first channel;

logic operable to determine whether a second access point would provide a greater data

rate than the first access point, where the respective data rates providable by the first and second

access points are non-zero; and

logic operable to request association with the second access point if it is determined that

the second access point would provide a greater data rate than the first access point.

7. (withdrawn) The apparatus of claim 6 wherein the second access point operates on the first

channel.

8. (withdrawn) The apparatus of claim 6 wherein the second access point operates on a second channel.

9. (withdrawn) The apparatus of claim 6 wherein the logic operable to determine whether the second access point would provide a greater data rate than the first access point employs, at least in-part, signal strength of transmissions from the first and second access points.

10. (withdrawn) The apparatus of claim 6 wherein the logic operable to determine whether the second access point would provide a greater data rate than the first access point employs, at least in-part, an indication of loading advertised by the first and second access points.